

#447
BILL NO. G-90-09-09

1 GENERAL ORDINANCE NO. G- 49-92

2 AN ORDINANCE amending the Thoroughfare
3 Plan of the City Comprehensive ("Master")
4 Plan by vacating an alley thereof.

5 WHEREAS, a petition to vacate a public alley within the
6 city of Fort Wayne (as more specifically described below)
7 was duly filed with the City Planning Commission; and

8 WHEREAS, said Commission duly held a public hearing
9 thereon; and

10 WHEREAS, said Commission has duly forwarded its
11 recommendation to this body approving said petition, all in
12 accordance with I.C. 36-7-4-512(2) and this body having held
13 a public hearing on said vacation as provided in I.C. 36-7-
14 4-12; and

15 WHEREAS, this body concurs in the recommendation of the
16 City Planning Commission.

17 NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
18 THE CITY OF FORT WAYNE, INDIANA:

19 SECTION 1. That the petition filed herein to vacate a
20 public alley within the City of Fort Wayne, more
21 specifically described as follows, to-wit:

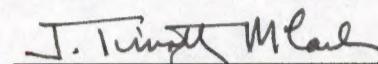
22 Beginning at the southeast corner of Lot #3 in
23 Tresselt's Addition, 200.0 feet west along the
24 right-of-way, through Lot #4 in Tresselt's
25 Addition; turn 90 degrees south 10.0 lineal feet
26 to the northwest corner of Lot #22 in Colerick's
27 Addition, then 200.0 lineal feet east along the
28 right-of-way to the northeast corner of Lot #23 in
29 Colerick's Addition, then north 10.0 lineal feet,
30 again to the southeast corner of Lot #3 in
31 Tresselt's Addition. Also, beginning at the
32 southeast corner of Lot #22 in Colerick Addition,
140.0 lineal feet north along the right-of-way,
turn 90 degrees east to the northwest corner of
Lot #23 in Colerick's Addition, back south 140.0
feet along Lots #23, and #24 to the southwest
corner of Lot #25, all in Colerick's Addition,
turn 90 degrees west, then 10.0 lineal feet back
to the southeast corner of Lot #22 in Colerick's
Addition

and which vacating amends the Thoroughfare Plan of the City

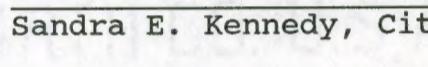
#447
1 Comprehensive ("Master") Plan and is hereby approved in all
2 respects.

2 SECTION 2. That this Ordinance shall be in full force
3 and effect from and after its passage, any and all necessary
4 approval by the Mayor.

5 
6 COUNCILMEMBER

7 APPROVED AS TO FORM AND LEGALITY:
8 
9 J. TIMOTHY McCAULAY, CITY ATTORNEY

10 ** Public hearing to be held on _____,
11 the _____ day of _____, 1990,
12 in the Council Chambers.

13 
14 Sandra E. Kennedy, City Clerk

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Read the first time in full and on motion by Broadbent,
seconded by Disney, and duly adopted, read the second time by
title and referred to the Committee on Regulation (and the
City Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Common Council Conference Room 128, City-County
Building, Fort Wayne, Indiana, on _____, the _____, day
of _____, 19_____, at _____ o'clock 8:00 M., E.S.T.

DATED: 9-11-90

SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by _____,
seconded by _____, and duly adopted, placed on its passage.
PASSED LOST by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____
<u>BRADBURY</u>	_____	_____	_____	_____
<u>BURNS</u>	_____	_____	_____	_____
<u>EDMONDS</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	_____	_____	_____	_____
<u>HENRY</u>	_____	_____	_____	_____
<u>LONG</u>	_____	_____	_____	_____
<u>REDD</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____

DATED: _____

SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. _____
on the _____ day of _____, 19_____

ATTEST:

(SEAL)

SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the _____ day of _____, 19_____.
at the hour of _____ o'clock _____ M., E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____,
19_____, at the hour of _____ o'clock _____ M., E.S.T.

PAUL HELMKE, MAYOR

Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by _____, and referred to the Committee on _____ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19 _____, at _____ o'clock _____ M., E.S.T.

DATED: _____

SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Edmonds, seconded by LOST, and duly adopted, placed on its passage. PASSED LOST by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>9</u>			
<u>BRADBURY</u>	<u>✓</u>			
<u>EDMONDS</u>	<u>✓</u>			
<u>GiaQUINTA</u>	<u>✓</u>			
<u>HENRY</u>	<u>✓</u>			
<u>LONG</u>	<u>✓</u>			
<u>LUNSEY</u>	<u>✓</u>			
<u>RAVINE</u>	<u>✓</u>			
<u>SCHMIDT</u>	<u>✓</u>			
<u>TALARICO</u>	<u>✓</u>			

DATED: 11-24-92

SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. B-49-92
on the 24th day of November, 1992

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of November, 1992, at the hour of 3:00 o'clock P.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 27th day of November, 1992, at the hour of 5:00 o'clock P.M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

RECEIPT

No 7339

COMMUNITY DEVELOPMENT & PLANNING

FT. WAYNE, IND.,

19

RECEIVED FROM

THE SUM OF

ON ACCOUNT OF

#2313

PAID BY: CASH CHECK M.O.

Moore Park Assoc \$100.00

One hundred ~~100~~ ⁰⁰ DOLLARSAlley Location ~~Kath.~~

AUTHORIZED SIGNATURE

Date Filed: _____

Vacation Petition

I/We J. R. Miller/Irmscher & Sons, Inc., with Richard Stump/Moake-Park Associates
(Applicant's Name or Names)

PETITION TO VACATE two (2) alleys/easements
(Street, Alley, Utility Easement, Plat,
Other)

TO: THE CITY PLAN COMMISSION
CITY OF FORT WAYNE, INDIANA

The undersigned petitioner(s), do (does) hereby respectfully petition the Fort Wayne City Plan Commission to vacate the following two (2) alleys/easements with the City of Fort Wayne, Indiana, and hereby described as follows:

Some 200 LF x 10 foot wide, adjacent Lot #3 and #4 in Tresselt's Addition, emptying onto Lafayette Street, along with some 140 LF x 10 foot wide adjacent Lot #22, #23, and #24 in Colerick's Addition, emptying onto Leith Street.

(Legal Description of property being vacated) If additional space is needed use reverse side.)

In support thereof, your petitioner(s) would represent as follows:

(List reasons for requesting vacation.)

With the exception of some 46.66 foot of stone alley adjacent an abutter's property, all the alleyway is adjacent this petitioner's property. A 24 foot wide concrete drive will be installed in place of the 10 foot stone alleyway, greatly increasing any access and use of the alleys. This vacation request will allow the construction of a much-needed inner city medical office
(If additional space is needed use reverse side.)

Your petitioner(s) file this petition pursuant to the authority granted in Indiana Code, and provisions of local ordinance, in order to complete the vacation as described.

WHEREFORE, your petitioner(s) pray that the above described two (2) alleys/easements be vacated according to the provisions of the Indiana Law pertaining thereto.

DATED THIS _____ DAY OF _____ 19 _____

① Lindsay McDaniel
Adjacent Property Owner
Typed Name

2726 S. Lafayette Street 46803
Address Zip

Lindsay McDaniel
Signature

② Payne Brown
Adjacent Property Owner
Typed Name

2722 S. Lafayette Street 46803
Address Zip

Payne D. Brown
Signature

Legal Description of Property:

Lots #1, #2, #3 and the east 40 feet of Lot #4 in Tresselt's Addition,
along with lots #22, #23, and #24 in Colerick's Addition.

Additional Reasons for Vacation Request:

building and clinic. A single doctor's office is now currently on one
of the adjacent properties.

Owners of Adjacent Property:

Alfred Stovall 2718 S. Lafayette St.
46803



Adjacent Property Address/Zip

Signature

Owners TYPED Name

NOTICE:

FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE
PERMISSION TO POST "OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.

FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC
HEARING FROM BEING HELD.

This form is to be filed in duplicate.

AGENT:

J.R. Miller/Irrmscher & Sons, Inc.
Name

1025 Osage Street
Street Address

Fort Wayne, Indiana 46855
City/State/Zip

219/422-5572
Phone

ATTACHMENT A

August 16, 1990

One (1) Sheet Only

1. Delete the words "Alley/Easement"; use "Alley" only:

We, J. R. Miller/Irmscher & Sons, Inc., with Richard Stump/Moake-Park Associates, petition to vacate: two (2) alleys.

2. Revise legal description:

Beginning at the southeast corner of Lot #3 in Tresselt's Addition, 200.0 feet west along the right-of-way, through Lot #4 in Tresselt's Addition; turn 90° south 10.0 lineal feet to the northwest corner of Lot #22 in Colerick's Addition, then 200.0 lineal feet east along the right-of-way to the northeast corner of Lot #23 in Colerick's addition, then north 10.0 lineal feet, again to the southeast corner of Lot #3 in Tresselt's Addition. Also, beginning at the southeast corner of Lot #22 in Colerick's Addition, 140.0 lineal feet north along the right-of-way, turn 90° east to the northwest corner of Lot #23 in Colerick's Addition, back south 140.0 feet along Lots #23, and #24 to the southwest corner of Lot #25, all in Colerick's Addition, turn 90° west, then 10.0 lineal feet back to the southeast corner of Lot #22 in Colerick's Addition.

Respectfully submitted,

IRMSCHER & SONS, INC.

J. R. Miller
Project Manager

JRM/ew
1245h

IRMSCHER

Corporate Office:
IRMSCHER & SONS, INC.
1025 Osage Street
P.O. Box 11078
Fort Wayne, Indiana 46855
219/422-5572
Construction • Management • Engineering

July 17, 1990

Dr. Alfred Stovall
Triangle Group
332-1/2 East Pontiac Street
Fort Wayne, IN 46803

RE: Community Outreach M.O.B.
Zoning Application

Dr. Stovall:

Richard Stump, of Moake-Park Associates, and I will be beginning the application for zoning variance on your property at Pontiac and Lafayette Streets, Fort Wayne, Indiana, this Thursday.

Please sign this letter as authorizing Irmscher & Sons, Inc., and Moake-Park Associates to make application for a variance and vacation of the alleyway as per our drawings to date.

Respectfully,

IRMSCHER & SONS, INC.

J. R. Miller
Project Manager

JRM/ew
1022h

cc: Richard Stump/Moake-Park
Chris Payne/Triangle Group
Payne Brown/Triangle Group
John Daly/Irmscher & Sons, Inc.

Accepted:

Alfred Stovall

7/18/90

Alfred Stovall, M.D.

Date

Branch Office:
IRMSCHER & SONS, INC.
56533 Magnetic Drive
Mishawaka, Indiana 46545
219/259-7500



SINCE 1892

Branch Office:
IRMSCHER & SONS, INC.
1531 Fort Jesse Road
Suite 4A
Normal, Illinois 61761
309/454-6050

B1B

BOUNDARY & TOPOGRAPHIC

SURVEY OF

#4

LOTS #1, 2, 3, & PART OF LOTS
TRESSELT'S ADDITION
ALONG WITH LOTS #22, 23, 24
COLERICK'S ADDITION

R2

This document is a re-survey of land and real estate located in A County, Indiana made in accordance with the records on file in the Office of Recorder of said county. The land described exists in full dimensions shown, is free from encroachment by adjoining land owners and contains entirely within its boundary any structures located upon it except as noted below.

LEGAL DESCRIPTION

Lots # 1, 2, 3 and the East 40 foot of Lot # 4 in TRESSELT'S ADDITION along with Lots # 22, 23, and 24 in Colerick's Addition.

LEGEND

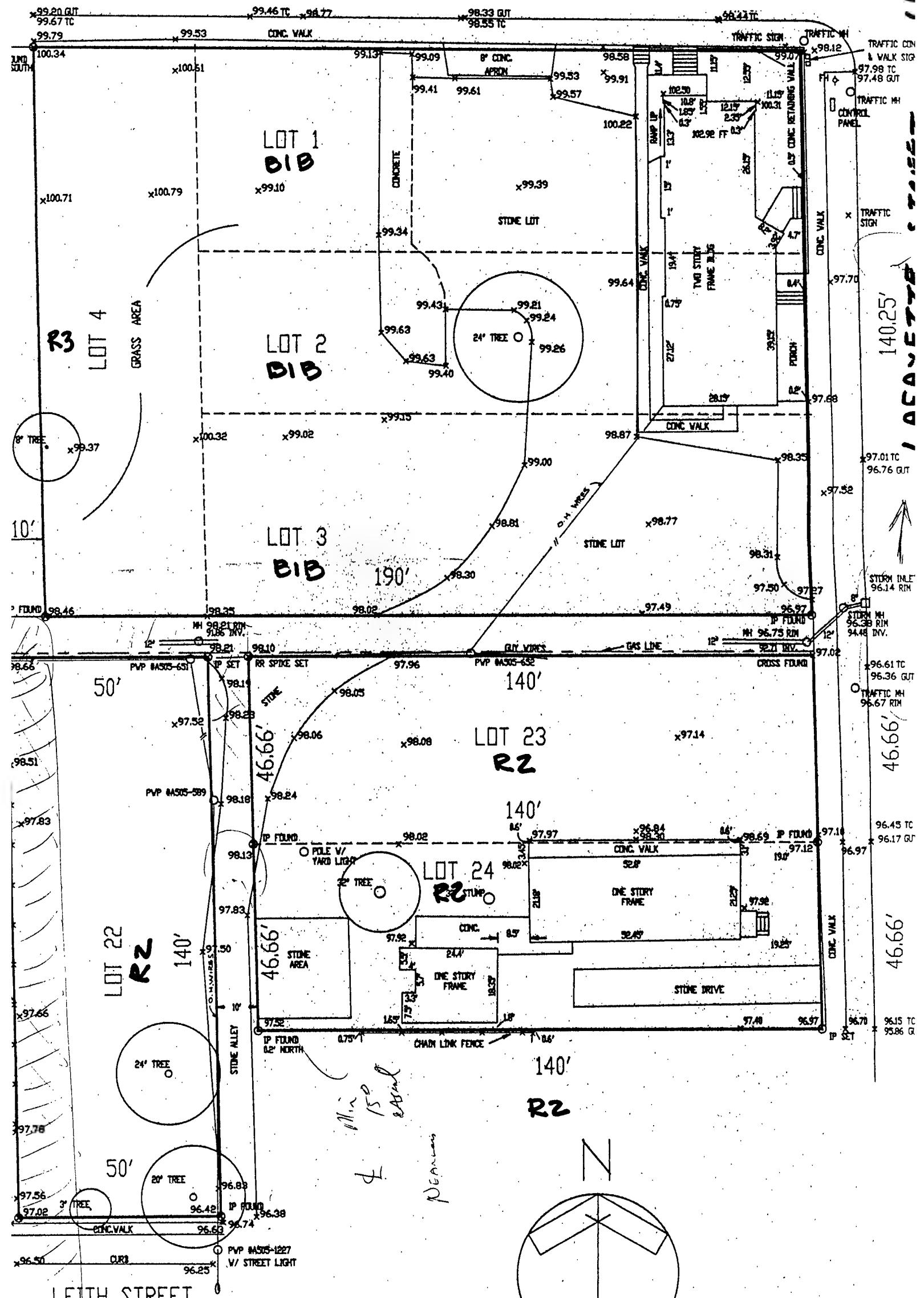
- — — GAS LINE
- PWP POWER POLE
- TC TOP OF CURB
- GUT GUTTER
- * 97.21 EXISTING ELEVATION
- MH MANHOLE
- IP SET IRON PIN SET
- FOUND IRON PIN FOUND
- FH FIRE HYDRANT

SITE BENCH MARK

PK NAIL IN POWER POLE
#M03214, LOCATED ON
NORTH SIDE OF PONTIAC
STREET APPROXIMATELY
130' WEST OF WEST R/W
OF LAFAYETTE STREET.
ASSUMED ELEVATION = 100.00

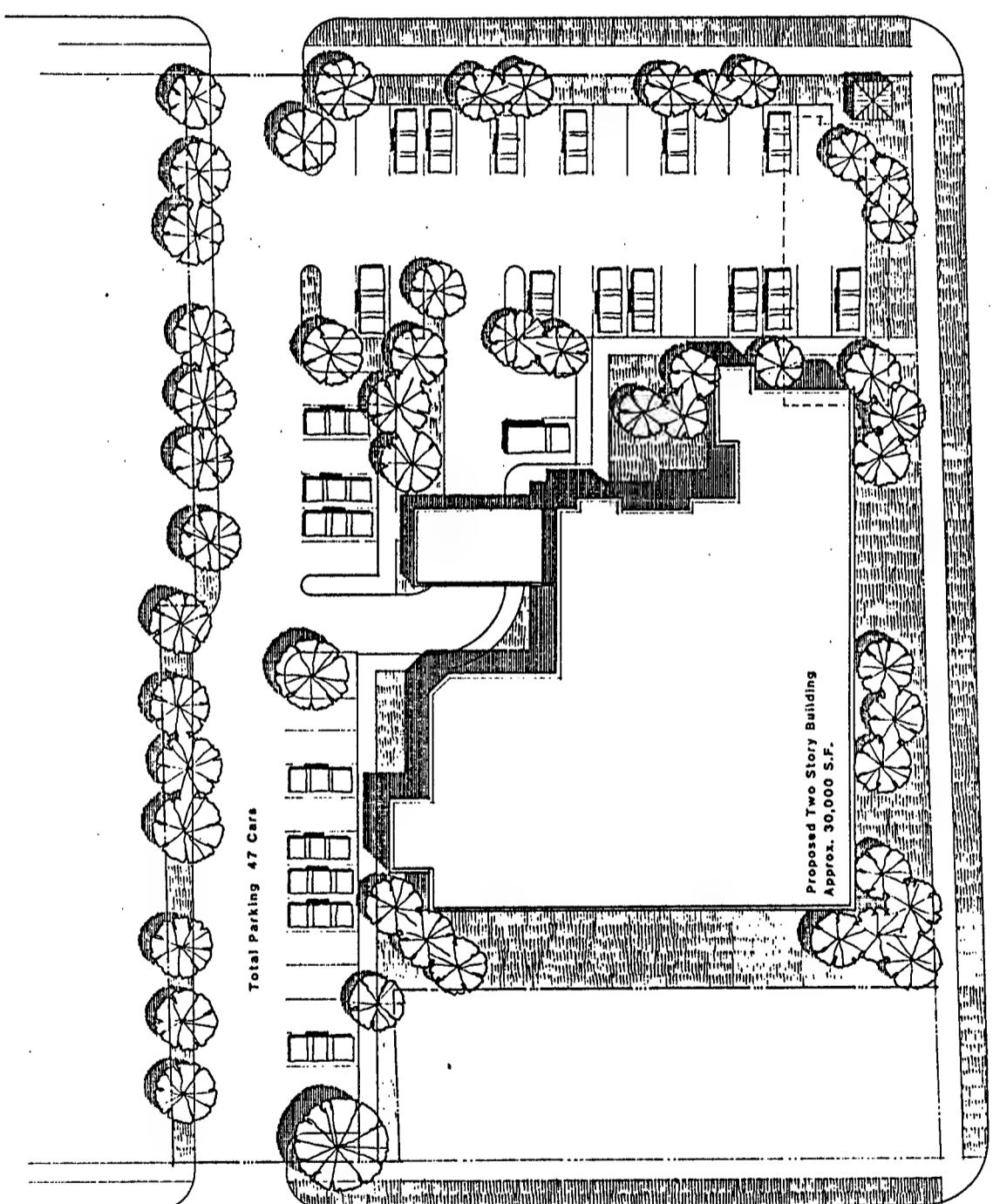
Pontiac Street
(50' R/W)

190'

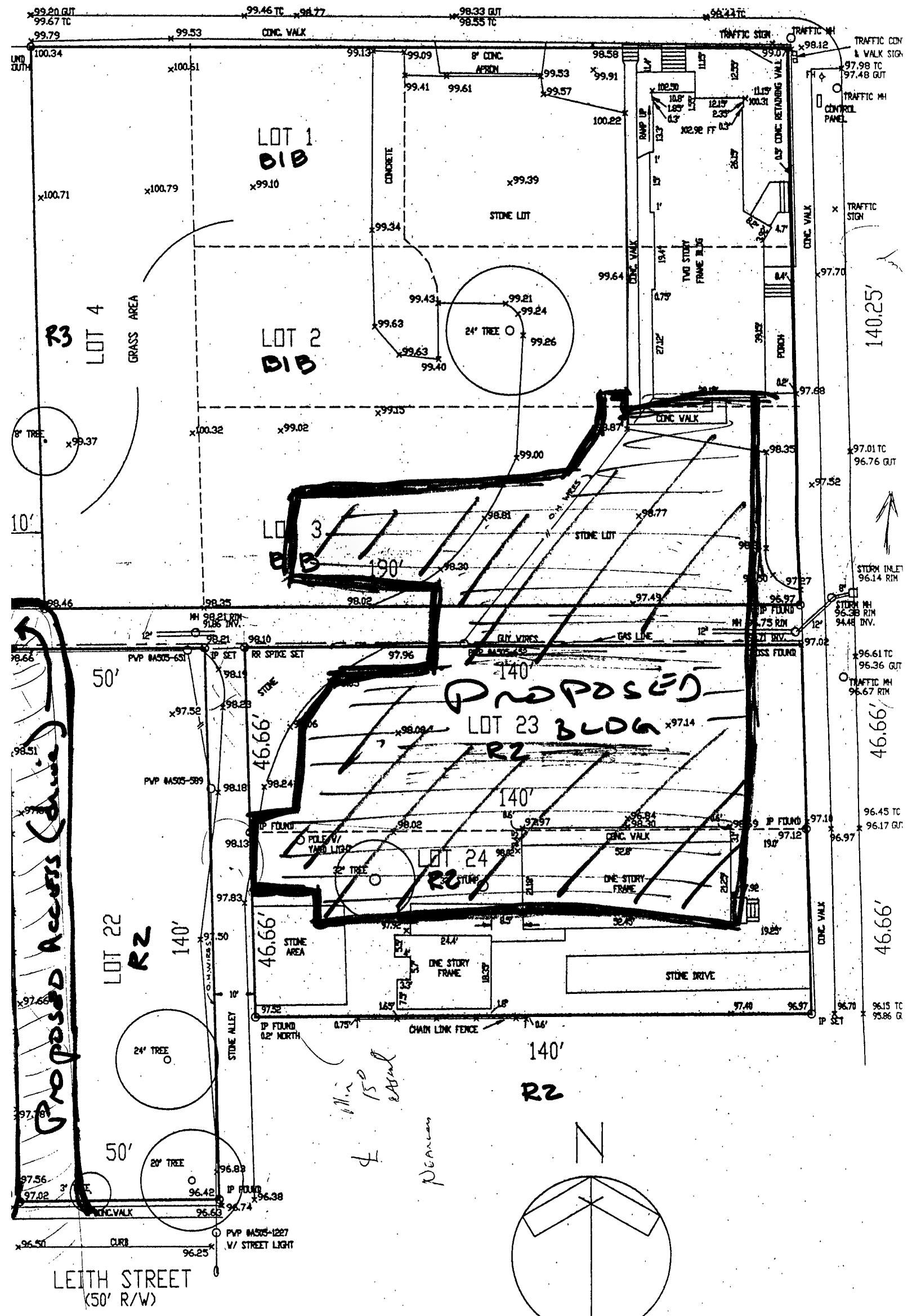


LEITH STREET
(50' R/W)

Pontiac Street



601th Street



RESOLUTION

WHEREAS, J R MILLER/IRMSCHER & SONS INC., with RICHARD STUMP/MOAKE-PARK ASSOCIATES has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated alleys situated in Fort Wayne, Allen County, to-wit:

Beginning at the southeast corner of Lot #3 in Tresselt's Addition, 200.0 feet west along the right-of-way, through Lot #4 in Tresselt's Addition; turn 90° south 10.0 lineal feet to the northwest corner of Lot #22 in Colerick's Addition, then 200.0 lineal feet east along the right-of-way to the northeast corner of Lot #23 in Colerick's Addition, then north 10.0 lineal feet, again to the southeast corner of Lot #3 in Tresselt's Addition. Also, beginning at the southeast corner of Lot #22 in Colerick's Addition, 140.0 lineal feet north along the right-of-way, turn 90° east to the northwest corner of Lot #23 in Colerick's Addition, back south 140.0 feet along Lots #23, and #24 to the southwest corner of Lot #25, all in Colerick's Addition, turn 90° west, then 10.0 lineal feet back to the southeast corner of Lot #22 in Colerick's Addition

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-12; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on September 17, 1990 at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said dedicated alleys.

WHEREAS, said vacation of dedicated alleys has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated alleys hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated alleys hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said dedicated alleys or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said dedicated alleys in Allen County, Indiana.

STATE OF INDIANA)

) SS:

COUNTY OF ALLEN)

I, Robert Hutner, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held, September 26, 1991 and as the same appears of record

in the official records of said Plan Commission.

DATED THIS 29th DAY OF September 1992

FORT WAYNE CITY PLAN COMMISSION



Robert Hutter
Secretary

RESOLUTION 80-55-20

WHEREAS, J R MILLER/IRMSCHER & SONS INC., with RICHARD STUMP/MOAKE-PARK ASSOCIATES has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated alleys situated in Fort Wayne, Allen County, to-wit:

Beginning at the southeast corner of Lot #3 in Tresselt's Addition, 200.0 feet west along the right-of-way, through Lot #4 in Tresselt's Addition; turn 90° south 10.0 lineal feet to the northwest corner of Lot #22 in Colerick's Addition, then 200.0 lineal feet east along the right-of-way to the northeast corner of Lot #23 in Colerick's Addition, then north 10.0 lineal feet, again to the southeast corner of Lot #3 in Tresselt's Addition. Also, beginning at the southeast corner of Lot #22 in Colerick's Addition, 140.0 lineal feet north along the right-of-way, turn 90° east to the northwest corner of Lot #23 in Colerick's Addition, back south 140.0 feet along Lots #23, and #24 to the southwest corner of Lot #25, all in Colerick's Addition, turn 90° west, then 10.0 lineal feet back to the southeast corner of Lot #22 in Colerick's Addition

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-12; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of dedicated alleys have been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated alleys hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said dedicated alleys hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of dedicated alleys or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

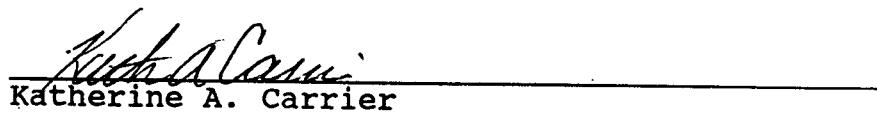
I, CHARLES E. LAYTON, Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held SEPTEMBER 30, 1992 and as same appears of record in the official records of the Board of Public Works.

DATED THIS 30 DAY OF SEPTEMBER 1992

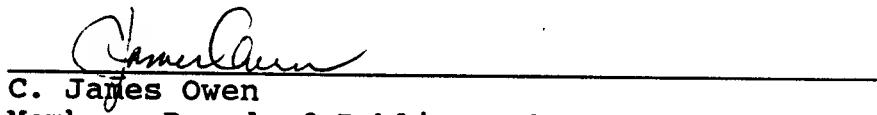
FORT WAYNE BOARD OF PUBLIC WORKS



Charles E. Layton
Director of Public Works



Katherine A. Carrier
Member, Board of Public Works



C. James Owen
Member, Board of Public Works

FACT SHEET

G-90-09-09

BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE	APPROVAL DEADLINE	REASON
Alley Vacation Ordinance		

DETAILS

DETAILS		POSITIONS	RECOMMENDATIONS
Specific Location and/or Address	Two (2) alleys located off of the Southwest corner of Lafayette & Pontiac Streets.	Sponsor	City Plan Commission
Reason for Project	Future construction of a Medical Office and Clinic	Area Affected	City Wide Other Areas
Discussion (Including relationship to other Council actions)	<p><u>September 17, 1990 - Public Hearing</u> See Attached Minutes of Meeting</p> <p><u>September 24, 1990 - Business Meeting</u></p> <p>Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation subject to the petitioners satisfying the following conditions:</p> <ol style="list-style-type: none"> 1. Provide utility easements and/or relocations as necessary; 2. Provide for the access needs of both residents to the west, and for emergency vehicle service by granting an ingress/egress easement from Leith Street to the east/west alley. The location and geometrics must be approved by Traffic Engineering, and must be capable of serving the needs of emergency service vehicles. <p>Of the seven (7) members present, six (6) voted in favor of the motion, one (1) did</p>	Applicants/ Proponents	Applicant(s) J.R. Miller/w/Irmscher & Sons City Department Other
		Opponents	Groups or Individuals Charles Vanyo, 309 E Leith St Basis of Opposition -residents would be limited access to their properties & it would prohibit garbage pickup & snow removal in alley
		Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
		Board or Commission Recommendation	By <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for conditions)
		CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass

DETAILS

not vote. Motion Carried.

NOTE: This request has been held pending the conditions being satisfied.

POLICY/ PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Project Start

Date 16 August 1990

Projected Completion or Occupancy

Date 29 September 1992

Fact Sheet Prepared by

Patricia Biancaniello

Reviewed by

St. J. Faust

Reference or Case Number

Date 29 September 1992

Date 5 OCTOBER 1992

b. Bill No. G-90-09-09 - Vacation Petition #447
Alley vacations in the 2700 Block of Lafayette Street.

J.R. Miller, with Irmsscher & Sons, appeared before the Commission. Mr. Miller stated that they are requesting the vacation in order to accommodate the building of a medical clinic by Dr. Stovall. He stated that the new construction, as proposed, will be constructed across the east/west alley. Mr. Miller stated that they intend to widen the street onto Leith Street to allow access back to the alleyway for all of the residents on the alley. Mr. Miller stated they will work with the Commission and city departments in order to accommodate access to the other properties on the alley. He stated that they have tentative approval from the Board of Zoning Appeals for a medical facility on this property and the vacating of the alleys is necessary to accommodate the new construction.

Charles Vanyo, 309 E Leith Street, appeared before the Commission in opposition to the proposed vacation. Mr. Vanyo submitted a petition signed by 35 area residents that were also opposed to the vacation. He stated that they feel that by vacating the alleys it will prohibit garbage pickup, cause limited access to residents to the rear of their properties and limit snow removal in the alley, it could also devalue their properties.

David Long questioned if Mr. Vanyo had been made aware that the staff has recommended that they give access to the alley from Leith Street.

Mr. Vanyo stated that he was unaware of that recommendation by staff.

In Rebuttal, Mr. Miller stated that they have tried to address the concerns as stated by Mr. Vanyo. He stated that the alley presently accesses onto Lafayette, which is a major traffic artery. He stated that they feel they will actually upgrade the access to the alley. He stated it will be lighted, better paved and have better radiiuses.

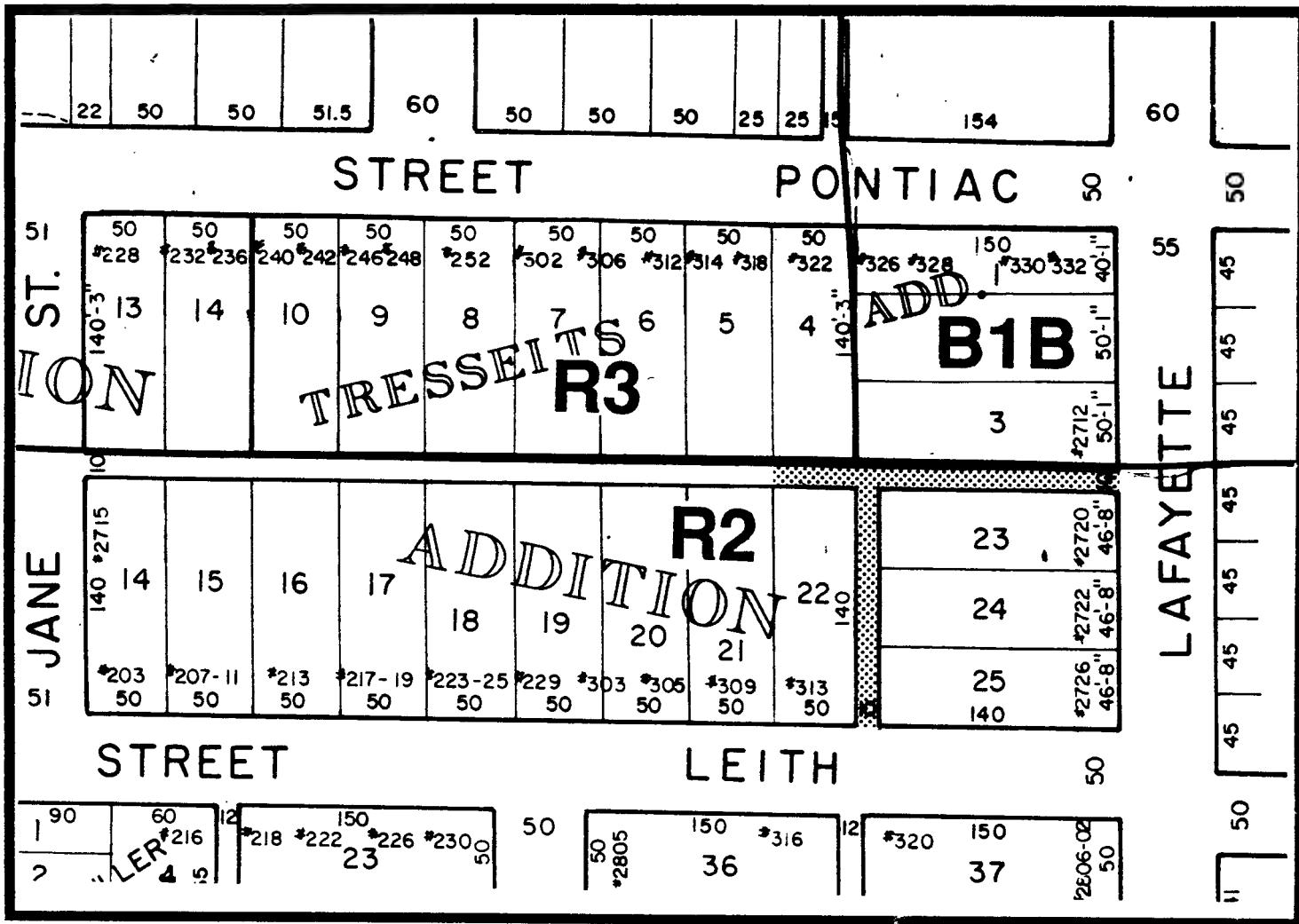
There was no one else present who wished to speak in favor of or in opposition to the proposed vacation.

VACATION PETITION #447

A PETITION TO VACATE THE DESCRIBED PORTION OF PUBLIC ALLEY.

MAP NO. M-7

COUNCILMANIC DISTRICT NO. 1



ZONING:

R2 RESIDENTIAL DISTRICT

B1B LIMITED BUSINESS "B"

R3 RESIDENTIAL DISTRICT

LAND USE:

- SINGLE FAMILY*
- COMMERCIAL*
- DUPLEX*

SCALE: 1"=100'

DATE: 8-29-90



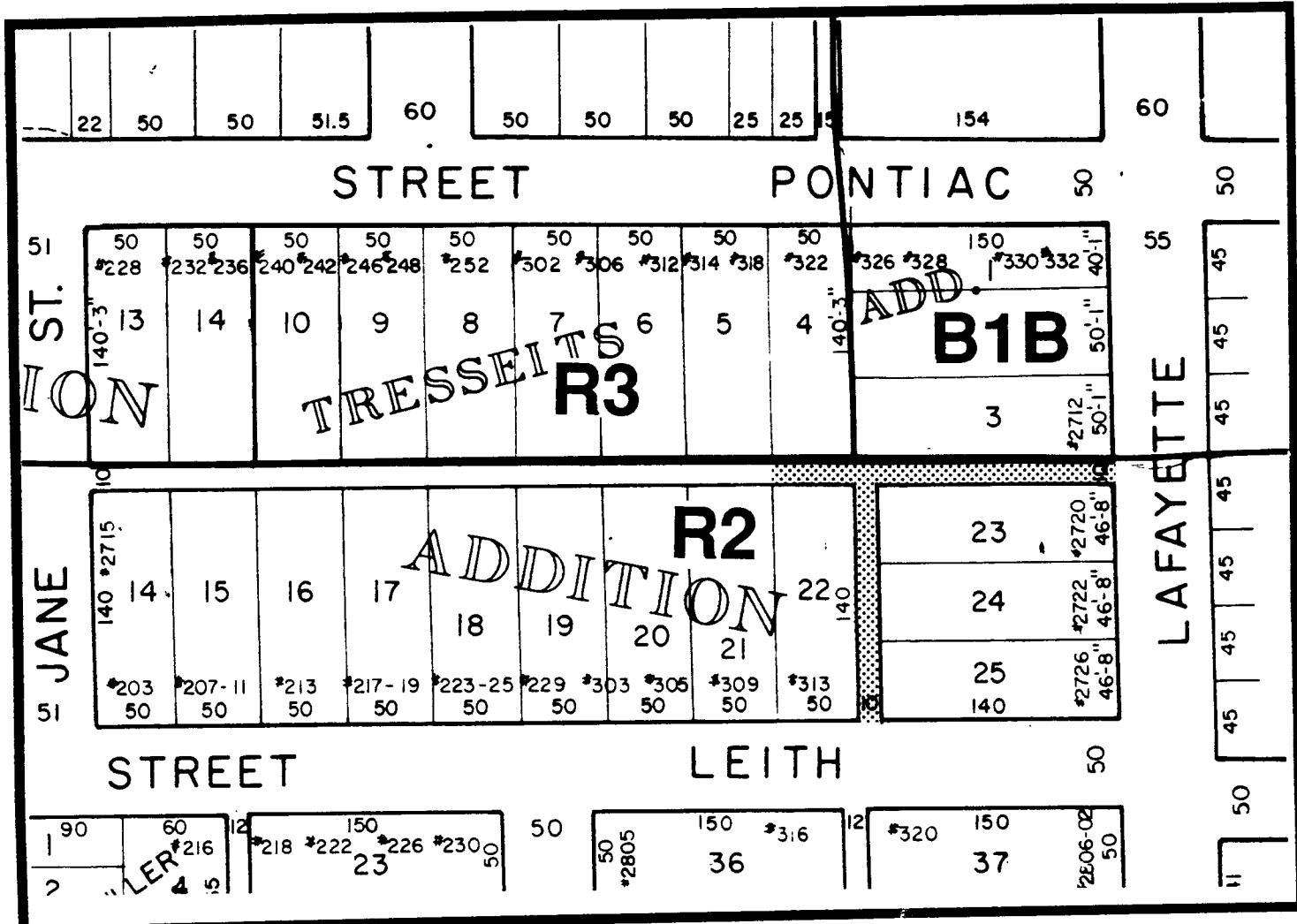
VACATION PETITION

#447

A PETITION TO VACATE THE DESCRIBED PORTION OF PUBLIC ALLEY.

MAP NO. M-7

COUNCILMANIC DISTRICT NO. 1



ZONING:

LAND USE:

B2 RESIDENTIAL DISTRICT

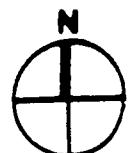
B1B LIMITED BUSINESS "B"

R3 RESIDENTIAL DISTRICT

- SINGLE FAMILY*
- COMMERCIAL*
- DUPLEX*

SCALE: 1" = 100'

DATE: 8-29-90



ORIGINAL

ORIGINAL

DIGEST SHEET

TITLE OF ORDINANCE Alley Vacation Ordinance

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE Portions of public alleys located off of the Southwest corner of Lafayette and Pontiac Streets.

6-90-09-09

EFFECT OF PASSAGE Property is presently dedicated right-of-way.
Property will be vacated and revert to the adjacent property owners.

EFFECT OF NON-PASSAGE Property will remain dedicated right-of-way.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

(ASSIGN TO COMMITTEE (J.N.)

BILL NO. G-90-09-09

REPORT OF THE COMMITTEE ON
REGULATIONS

CLETUS R. EDMONDS, CHAIR
MARK E. GIAQUINTA, VICE CHAIR
RAVINE, SCHMIDT

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (RESOLUTION) amending the
Thoroughfare Plan of the City Comprehensive ("Master") Plan by
vacating an alley thereof

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (RESOLUTION)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

C R Edmonds
OSullivan
Lebeau Ravine

DATED: 11-24-92.

Sandra E. Kennedy
City Clerk

From the Desk of:
Pat Biancaniello

AGENT:

J R Miller
Irmscher & Sons Inc
1025 Osage St
City 08

PHONE: 422-5572



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY CITY CLERK

October 12, 1992

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of October 15, 1992, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. G-90-09-09
Alley vacation

Please send us 3 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
Sandra E. Kennedy
City Clerk



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

October 12, 1992

J R Miller
Irmscher & Sons, Inc.
1025 Osage Street
Fort Wayne, IN 46808

NOTICE OF PUBLIC HEARING ON BILL NO. G-90-09-09

You are hereby notified that the Common Council of the City of Fort Wayne will conduct a public hearing on Tuesday, November 17, 1992, at 7:00 P.M. (EST) in the Common Council Conference Room 128, 1st Floor, City-County Building, One Main Street, Fort Wayne, Indiana, on the following:

Two (2) alleys located off the Southwest corner of Lafayette & Pontiac Streets - Future construction of a Medical Office and Clinic

All interested persons are invited to appear and be heard. Any written material may be submitted to the Common Council prior to the hearing.

FORT WAYNE COMMON COUNCIL

Sandra E. Kennedy
City Clerk

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
BILL NO. G-90-09-09

Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, November 17, 1992, at 7:00 P.M. (EST) in the Common Council Conference Room 128, City-County Building, One Main Street, Fort Wayne, Indiana more particularly described as follows:

Alley Vacation - Two (2) alleys located off the Southwest corner of Lafayette & Pontiac Street - Future construction of a Medical Office and Clinic

Beginning at the southeast corner of Lot #3 in Tresselt's Addition, 200.0 feet west along the right-of-way, through Lot #4 in Tresselt's Addition; turn 90 degrees south 10.0 lineal feet to the northwest corner of Lot #22 in Colerick's Addition, then 200.0 lineal feet east along the right-of-way to the northeast corner of Lot #23 in Colerick's Addition, then north 10.0 lineal feet, again to the southeast corner of Lot #3 in Tresselt's Addition. Also, beginning at the southeast corner of Lot #22 in Colerick Addition, 140.0 lineal feet north along the right-of-way, turn 90 degrees east to the northwest corner of Lot #23 in Colerick's Addition, back south 140.0 feet along Lots #23, and #24 to the southwest corner of Lot #25, all in Colerick's Addition, turn 90 degrees west, then 10.0 lineal feet back to the southeast corner of Lot #22 in Colerick's Addition

FORT WAYNE COMMON COUNCIL

Sandra E. Kennedy

Sandra E. Kennedy
City Clerk

All interested parties are invited to appear and be heard.

Fw Common Council
(Governmental Unit)

ALLEN County, Indiana

To: The News-Sentinel
P.O. Box 100
Fort Wayne, IN

Dr.

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

35 lines, 1 columns wide equals 35 equivalent lines
at .33 cents per line \$ 11.55

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

1.00
\$ 12.55

DATA FOR COMPUTING COST

Width of single column 12.5 ems
Number of insertions 1
Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: Oct 15, 1992

Title: _____

Cindy Gillenwater
Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)
) ss:
Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Cindy Gillenwater who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time _____, the dates of publication being as follows:

10/15/92

Subscribed and sworn to before me this 15th day of Oct, 1992.

Shelley R. Larue
Notary Public Whitley County, IN
SHELLEY R. LARUE

My commission expires: March 3, 1994

NOTICE OF PUBLIC HEARING	
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BILL NO. G-90-09-09	
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FORT WAYNE COMMON COUNCIL	
Sandra E. Kennedy City Clerk	
I interested parties are invited to appear and be heard.	
I-15	

Fw Common Council

(Governmental Unit)

ALLEN County, Indiana

To:

The News-Sentinel

Dr.

P.O. Box 100

Fort Wayne, IN

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I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: Oct 15, 1992

Title: _____ Clerk

Cindy Gillenwater

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned *Cindy Gillenwater* who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time _____, the dates of publication being as follows:

10/15/92

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Shelley R. Larue
Notary Public Whitley County, IN
SHELLEY R. LARUE

My commission expires: March 3, 1994

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BILL NO. G-90-09-09
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 FORT WAYNE COMMON COUNCIL
Sandra E. Kennedy
City Clerk
All interested parties are invited to appear and be heard.
10-15 #784